Brownfields Data Collection and Information Resource:

Your Guide to Gathering Brownfields Property Information and Tips on How to Obtain a Private Property "Consent and Release" Form

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New Jersey Department of Community Affairs' Office of Smart Growth Brownfields Program
[August 2004]

We took the recommendations and valuable tips shared at DATA DAY 2004 and organized them into a powerful resource to locate information pertinent to promoting redevelopment of brownfields properties.

We hope that this is helpful to you and we look forward to continuing our joint efforts to build local, county and state brownfields inventories in order to bring these properties back to beneficial use as locations for new businesses, homes, recreational uses and open space.

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Q1: I want to nominate a property on the Site Mart. How do I know what information to gather?

A: Visit the Site Mart web page at www.njsitemart.com.

Go to the navigation bar on the left of the screen and select "Property Information Form." This form contains all of the information fields in Site Mart. You can print this form and take it with you to assist in gathering the required information.

Q2: I know what information to gather. In general, where can I find that information?

- **A:** Depending on the particular municipality where the property is located, the information could be in a number of different places. In general, try the following:
 - i. Contact the following county and municipal offices: economic development, community development, improvement authorities, business development, planning, administration, etc. that might have information about properties in their municipalities.

Contact information for federal, state and local offices can be found at: http://www.nj.gov/Government.shtml

- ii. Visit the property and observe what is there.
- iii. Inquire at the municipal tax office, tax assessor's office, finance office, City Clerk's office, etc.
- iv. Take a look at property record cards. These can be found in the tax assessor's office.
- v. Contact regional organizations such as the Meadowlands Commission, the Delaware Valley Regional Planning Commission, the Pinelands Commission, the Regional Plan Association, NJ Water Supply Authority and the South Jersey Economic Development District.

vi. Contact Information:

Meadowlands Commission Linda Wills 201-460-3879

http://www.meadowlands.state.nj.us/

Delaware Valley Regional Planning Commission Patty Elkis 215-238-2838 http://www.dvrpc.org/

Pinelands Commission
John Stokes
609-894-7300
http://www.state.nj.us/pinelands/

Regional Plan Association Thomas Dallessio 732-828-9945 http://www.rpa.org/

NJ Water Supply Authority Robert O'Neil 908-685-0315 http://www.njwsa.org/

South Jersey Economic Development District Gordon K. Dahl (856) 765-9700 http://www.sjedd.com/

- vii. From information about contaminants to information about the history of a property, utilize the Open Public Records Act (OPRA). There is a link to the OPRA information request form on the Site Mart. Go to the navigation bar on the left of the screen and select "Additional Information Links"
- viii. Existing environmental information about the property can be obtained through the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency.

New Jersey Department of Environmental Protection http://www.state.nj.us/dep/index.html

United States Environmental Protection Agency http://www.epa.gov/region02/

- ix. Look at tax maps and even Sanborn fire insurance maps to find industrial sites in the early stages of inventorying.
- x. To find out what types of businesses may have occupied the site in the past, look in historical phone books.
- xi. If the property is being handled by a realtor or is owned by a private party, they may be able to provide valuable information.

Q3: Where can I find infrastructure information about transportation?

A:

- i. Visit the property and look around. This will allow you to observe nearby roads, access points, etc.
- ii. Look at aerial photos and area maps. This approach allows a broader sense of the transportation options in the area.
- iii. The city, county and State Department of Transportation offices are also valuable resources of transportation information. Examine projects such as existing and planned transportation improvements. Providing information about current and planned transportation improvements could make the property a more appealing investment. (For Contact Information, See Question 2, Answer [i]).
- iv. Regional organizations such as those listed above in Question 2, Answer [v].
- Visit the New Jersey Institute of Technology and Port Authority websites: New Jersey Institute of Technology
 www.transportation.njit.edu/iitc
 The Port Authority of New York and New Jersey
 http://www.panynj.gov/

vi. Look at the maps in the Department of Community Affairs' Office of Smart Growth:

Office of Smart Growth
Department of Community Affairs
101 South Broad Street
PO Box 204
Trenton, NJ 08625-0204
Tel 609-292-7156
Fax 609-292-3292
email osgmail@dca.state.nj.us

http://www.state.nj.us/dca/osg/

Q4: Where can I find utility information?

A:

- i. Contact the municipality to inquire about the onsite availability of utility services, such as sewer and water. Inquiries regarding other, privately offered services like electricity and phone, can be made directly to the company. The Department of Community Affairs' Office of Smart Growth may have the information (For Contact Information, See Question 3, Answer [vi]).
- ii. If a Remedial Investigation has been done for the site, the report should include utility information. This information may be obtained from the NJ Department of Environmental Protection Site Remediation Program:

SRP Assistant Commissioner's Office

401 E. State Street Telephone 609/292-1250 6th Floor, East Wing Fax 609/777-1914

PO Box 028 http://www.nj.gov/dep/srp/

Trenton, NJ 08625

Q5: Where can I find environmental information?

A:

- i. The NJ Department of Environmental Protection (DEP) i-MapNJ is a good source. **To use** the New Jersey Department of Environmental Protection i-Map, visit: http://www.state.nj.us/dep/gis/newmapping.htm
- ii. You may also wish to contact the Office of Brownfields Reuse in the NJ DEP:

Ken Kloo Brownfields Administrator Office of Brownfield Reuse NJ Department of Environmental Protection PO Box 402 Trenton, NJ 08625-0402

Telephone: 609-292-1251

iii. Where NJ DEP has entered into Memoranda of Agreement, or other oversight documents, review of those public records may also contain helpful environmental information.

Q6: How do I know what financial incentives to list for the property?

- **A:** The availability of financial incentives is largely dependent upon the location of the property:
 - i. Contact the local Urban Enterprise Zone (UEZ) office to find out if it is located in an Urban Enterprise Zone:

Urban Enterprise Zone Program
Kathie Kube
NJ Commerce & Economic Growth Commission
20 W. State Street, PO BOX 820
Trenton, NJ 08625-0820
Telephone: 609-292-1912

Fax: 609-633-8004

Or visit the NJ Urban Enterprise Zone website for a listing of local UEZ contacts: http://www.nj.gov/commerce/UEZ.shtml

ii. Find out if it is located in a smart growth area. Many state incentives, including tax credits, are linked to development in such locations. To determine eligibility for smart growth funding from the NJ Housing and Mortgage Finance Agency, use their "Smart Growth Locator," which is located on their website:

To use the Housing and Mortgage Finance Agency Smart Growth Locator, visit their website: http://www.nj.gov/dca/hmfa/

Go to the navigation bar on the left of the screen and select "Smart Growth Locator."

The Municipality Quad List on the Department of Community Affairs website can help you determine if the property falls within a smart growth area as defined by other state agencies. To consult the "Municipalities Quad List," visit the following NJ Department of Community Affairs website:

http://www.state.nj.us/dca/osg/resources/maps/municipalitiesquadlist.shtml

This list is used in conjunction with the "Quad Map:" http://www.state.nj.us/dca/osg/resources/maps/quadmaps.shtml

- iii. If it is in a downtown, it may be eligible for Main Street Assistance:

 Main Street Assistance provides technical assistance. Specifically, it provides business communities with the skills and knowledge to manage their own business districts. This assistance is provided to designated Main Street New Jersey municipalities, downtown revitalization organizations, Economic Development Corporations, Urban Enterprise Zones, Special Improvement Districts, and New Jersey citizens. To learn more, visit the Department of Community Affairs Programs website at:

 http://www.ni.gov/dca/programsbook/or.call (609) 292-6140
 - http://www.nj.gov/dca/programsbook/ or call (609) 292-6140.
- iv. Federal loans are available if it is located within 1 of the 60 eligible municipalities targeted for special assistance under P.L.1996, c.62 (C.55:19-64). The New Jersey Redevelopment Authority website provides a map and a list of eligible municipalities:

Visit the New Jersey Redevelopment Authority website at: http://www.nj.gov/njra/

Direct link to the list of eligible municipalities:

http://njgeodata4.state.nj.us/website/ucc/viewer.htm?Title=NJ%20-%20UCC%20Boundary

There are also several other federal programs within the United States Environmental Protection Agency, United States Department of Housing and Urban Development, United States Army Corp of Engineers, Economic Development Administration in the United States Department of Commerce, and the United States Department of Agriculture (For Contact Information, See Question 2, Answer [i]).

- v. Brownfield properties are eligible to receive remediation grants and/or loans from the Hazardous Discharge Site Remediation Fund. Visit the New Jersey Department of Environmental Protection website for the application and eligibility requirements.

 For information about the Hazardous Discharge Site Remediation Fund (HDSRF) visit this website: http://www.state.nj.us/dep/srp/finance/hdsrf/
- vi. Municipalities offer tax abatements for particular properties.
- vii. Visit the New Jersey Department of Community Affairs website and view the NJ Brownfields Redevelopment Resource Kit for a list of State agencies and possible funding and financing programs.

To view the New Jersey Brownfields Redevelopment Resource Kit, download it from the New Jersey Department of Community Affairs website at: http://www.nj.gov/dca/osg/commissions/brownfields/index.shtml

viii. Contact the NJ Economic Development Authority to see if the property qualifies for low interest rates:

New Jersey Economic Development Authority PO Box 990 Trenton, NJ 08625-0990 Telephone: 609-292-1800

Email: njeda@njeda.com

http://www.njeda.com/default.asp

- ix. Also, contact economic development offices that might have the information:
 - Contact the local economic development office and their committees to find out if the property is eligible for funding or financing such as Neighborhood Preservation funding or Façade Redevelopment funding (For Contact Information, See Question 2, Answer [i]).
 - Contact regional groups such as the South Jersey Economic Development District (For Contact Information, See Question 2, Answer [v]).
 - Contact County and State economic offices and inquire about revolving loan funds (For Contact Information, See Question 2, Answer [i]).

• Contact the NJ Commerce and Economic Growth Commission:

James D. Simmons New Jersey Commerce & Economic Growth Commission 20 West State Street Trenton, NJ 08625 Telephone: 609-292-5392

Fax: 609-633-8004

Q7: What is the best way to describe a Brownfields property in order to promote it for redevelopment purposes?

- **A:** Here are some tips for describing a Brownfields property:
 - i. Keep in mind that redevelopment is being promoted be positive.
 - ii. Try to keep the description to three or four sentences.
 - iii. Consider what interests you are trying to attract; include items of interest to them while excluding irrelevant information.
 - iv. Describe the infrastructure that is in place. If the existing building can accommodate the intended re-use, then describe it in detail, i.e. ceiling height, square footage, loading docks, etc. If it cannot, do not describe its physical features; explain other positive options.
 - v. Mention the intended and/or potential re-use of the property, which can be determined by examining the city's redevelopment and land use plan.
 - vi. Be sure to mention any open space located near the property. This may make the site more attractive to developers.
 - vii. Find out the current and planned land uses for the surrounding areas.
 - viii. Describe any location advantages such as close proximity to highways, public transit hubs, airports and waterfront access. List the utilities that are available onsite. These amenities can make a property stand out as an appealing investment, especially in a rural area where they may not be as common.
 - ix. Take a holistic approach and consider the needs of the community at large.
 - x. Take into account the public perception of the properties and the point of view of the residents, and get neighborhood input.
 - xi. Mention incentives and programs that may be available in the area, even if the developers themselves may not qualify. This helps to convey the message that your property is located in an area that is getting attention, where things are happening.
 - xii. Even if the property is an eyesore, it is not without potential. The key is to highlight the positives.

- Q8: I have gathered information for a property that is privately owned. How can I obtain a signed consent form to allow publication of it on "Site Mart"?
- A: There is no cookie-cutter approach to achieve this; every situation is different. The main road to success getting a signature is to educate and inform the property owner. It is essential to dispel incorrect perceptions and demystify the process. Here are some tips on how to do that:
 - i. If a property owner is unsure about desire to sell, posting on Site Mart will help indicate potential marketability.
 - ii. Posting on Site Mart can also build a case for more public resources (state, county, and federal help tailored for brownfields, i.e. more financial and technical help for redevelopment).
 - iii. Explain that listing your property makes it visible to potential buyers. There are many investors who are interested in redeveloping brownfields and use the Site Mart as a resource for locating them.
 - iv. Emphasize the economic benefits of listing. For example, listing your site can almost be described as an "insurance policy" for a potential buyer, making it a more attractive investment. This is because listed sites may be eligible for funding and other forms of assistance that would not otherwise be available. In addition, posting may invite a potential buyer to complete the process of environmental due diligence which could conceivably result in a "Covenant Not to Sue" and a "No Further Action Letter" between the buyer and the New Jersey Department of Environmental Protection.
 - v. The owner may be afraid of the stigma associated with owning a site that has been deemed a brownfield. If this is the case, it could help to remind them that a brownfield, according to the definition of the term, may not actually have any onsite contamination:

Brownfield: Any former or current commercial or industrial property that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant. Source: Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1 et seq.

- vi. Get the owner to understand the property's known limitations.
- vii. Help the property owner understand the Community Vision and their property's place in it. An abandoned or underutilized site does little to further the community's image and future plans.
- viii. Help owners realize that sellers are obligated to disclose environmental problems and that anyone considering purchasing their property will perform due diligence. Therefore, the contamination will be found eventually, even for sites not posted on "Site Mart."
- ix. Tell them that the official brownfields inventory that is mentioned in the legislation can be found at www.njsitemart.com.

Task Force: The 13 member New Jersey Brownfields Redevelopment Task Force is created by the State Legislature, pursuant to the Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-23. It consists of seven State representatives and six public representatives who are required to "prepare and update an inventory of

brownfield sites in the State," N.J.S.A. 58:10B-23b., and "actively market sites on the inventory to prospective developers," N.J.S.A. 58:10B-23c.4. The NJ Brownfields "Site Mart" is the official inventory.

x. Inform them that the inventory is not the same as the New Jersey Department of Environmental Protection Known Contaminated Site List.

To view the New Jersey Department of Environmental Protection Known Contaminated Site List, visit:

http://www.nj.gov/dep/srp/kcs-nj/

xi. Mention the Brownfields legislation:

To read the New Jersey Brownfields legislation visit the New Jersey Department of Community Affairs website and select "New Jersey Brownfield and Contaminated Site Remediation Act:"

http://www.state.nj.us/dca/osg/commissions/brownfields/taskforce.shtml

Or contact the Counsel to the New Jersey Brownfields Redevelopment Task Force: Phyllis E. Bross, Esq.
Deputy Attorney General
P.O. Box 112
Trenton, NJ 08625-0112

Telephone: 609-984-3900

Email: Phyllis.Bross@law.dol.lps.state.nj.us

- xii. Explain that being on the Site Mart list will not change or increase the owner's liability related to any on-site contamination.
- xiii. Set up a meeting with the private property owners, the municipality and the State Brownfields program. Let the owners express their concerns, address them there, and receive signatures on the spot.
- xiv. Think like a developer and property owner. Anticipate their concerns and an effective way to address them. A list of questions/concerns with possible answers is in the process of being constructed for the Site Mart
- xv. Prioritize sites and strategize (Trenton did with its petroleum properties).
- xvi. Owners may not have thought about partnering with the Department of Environmental Protection or any other state agencies, but inevitably they will eventually need to do so.
- xvii. Ask the owner this question: Why not work together in an environment of cooperation rather than one of opposition? The end goals of the State agencies and the private property owners are the same: redevelop the property as quickly and safely as possible without unnecessary legal or financial burdens.
- xviii. Let them know that it is a misconception that a property owner can "hide under the radar." The Department of Environmental Protection is constantly in the process of investigating Known Contaminated Sites. In addition, many other factors, such as the performance of due diligence, can bring a property and its owner to the attention of regulatory authorities.

xix. Let the owner know they are not alone; there are many other properties contaminated and the State has many resources and the sincere desire to help. The goal is to cleanup and re-use Brownfields, in a smart way, as soon as possible.

If you would like more information or have any questions, please contact:

Mark Schulz

Brownfields Inventory Coordinator

Office: 609-341-3141

Email: <u>mschulz@dca.state.nj.us</u>

Appendix C: List of Data Day Participants with Contact Information

(If any of the following contact information needs to be updated; or if you participated in Data Day 2004 and are not listed here but would like to be added, please contact Mark Schulz by phone at 609-341-3141 or by email at mschulz@dca.state.nj.us)

| Last | First | | Contact Info | ormation |
|-------------|------------|---------------------------------|--------------|---------------------------------------|
| | | Urban Enterprise Zone | | |
| Auborg | Yves | Coordinator/Borough of Roselle | 908-259-3001 | ya@boroughofroselle.com |
| | | NJ Brownfields Redevelopment | | |
| Barnwell | Gilda | Task Force | 609-292-0031 | gbarnwell@njra.state.nj.us |
| | | Representative of a private | | <u></u> |
| | | property owner/ Porzio, | | |
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| | | Deputy Attorney General/ | | |
| | | Department of Law & Public | | |
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| | | Coordinator/ Borough of | | |
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| Cohen | Paul | SBWE, Inc. | 732-346-1011 | pcohen@sbwenj.com |
| | | NJ Economic Development | | |
| | | Authority - Real Estate | | |
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| | | NJ Department of Community | | |
| | | Affairs / Council On Affordable | | |
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| | | Development Consultant to | | |
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| | | Executive Director/Perth Amboy | | |
| Crowley | Helga | Redevelopment Authority | 732-826-0290 | hcrowley@perthamboynj.org |
| | | Urban Enterprise Zone | | |
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| | | NJ Environmental Infrastructure | | |
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| | | Representative of a private | | |
| | | property owner/ Cooper Rose & | | |
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| | | US Environmental Protection | | |
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| | | Intern for Office of Smart | | |
| Faass | Josie | Growth | 732-846-0288 | jfaass@eden.rutgers.edu |
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| Glenn | Marian | Seton Hall University | 973-761-9052 | glennmar@shu.edu |
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| | | Economic Development | | |
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| Kearns | Betty | City | 201-547-6852 | |
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| | | Development/ Economic | | |
| Leone | Sam | Development Corporation | 856-881-0500 | sleone.gedc@verizon.net |
| | | Representative of the City of | | |
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| | | Urban Enterprise Zone | | |
| McCoy | Robert | Coordinator/ Perth Amboy | 732-442-6421 | mccoy@perthamboynj.org |
| _ | | Representative of a private | | |
| McNichols | David | property owner/ ISP Corporation | 973-628-3355 | dmcnichol@ispcorp.com |
| | | • | | |

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| | | Director Economic | | |
| Minitelli | Mike | Development/ Union Township | 908-851-5466 | mminitelli@uniontownship.com |
| Montgomery | William | New Jersey City University | 908-313-1311 | wmontgomery@NJCU.edu |
| | | Middlesex County Improvement | | |
| Nickel | Denise | Authority | 609-409-5002 | dn@mciauth.com |
| | | New Jersey Water Supply | | |
| O'Neil | Robert | Authority | 908-685-0315 | roneil@raritanbasin.org |
| | | Asst. Dir. of Marketing and | | |
| | | Policy/ NJ Economic | | |
| Ouellette | Nicole | Development Authority | 609-292-7691 | Nicole.Oullette@EDA.state.nj.us |
| Petrizzo | Jo Ann | The Whitman Companies | 732-390-5858 | joannpetrizzo@aol.com |
| | | Deputy State Director/ Office of | | |
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| | | Planning Supervisor/ Union | | |
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